

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Debodhonyaa Sengupta and Attorney Chid S. Iyer on 29 September 2009.

The application has been amended as follows:

The After-Final Amendment to the Claims, filed 13 August 2009, has been amended as follows:

IN THE CLAIMS:

23. (currently amended) ~~A *Mycobacterium* promoter, wherein the promoter consists of~~
~~SEQ ID NO:2.~~ An isolated polynucleotide fragment from *Mycobacterium* consisting of
SEQ ID NO: 2 which contains a promoter.

Please amend the Abstract filed 1/27/2004 as follows:

The Abstract will be amended to insert the term "for" between the terms "promoter" and "high-throughput" to recite: "a promoter for high-throughput" in line 1.

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An extension of time under 37 CFR 1.136(a) is required to place this application in condition for allowance. During a telephone conversation conducted on 29 September 2009, Applicants representatives Attorney Debodhonyaa Sengupta and Attorney Chid S. Iyer requested an extension of time for one MONTH(S) and authorized the Director to charge Deposit Account No. 19-4880 the required fee of \$130.00 for this extension.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CATHERINE HIBBERT whose telephone number is (571)270-3053. The examiner can normally be reached on M-F 8AM-5PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Low can be reached on 571-272-0951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/NANCY VOGEL/

Primary Examiner, Art Unit 1636

Catherine Hibbert
Examiner/AU1636